

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DAVID HOPKINS, D.D.S.,
RESPONDENT.

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ORDER

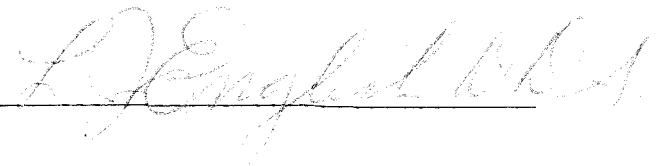
The Dentistry Examining Board having received and considered the Stipulation submitted in the above-captioned matter, a copy of which is attached hereto, hereby makes the following:

ORDER

The Stipulation submitted by the parties shall be, and hereby is ACCEPTED by the Dentistry Examining Board.

Dated at Madison, Wisconsin this 7th day of July, 1983.

DENTISTRY EXAMINING BOARD



STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DAVID HOPKINS, D.D.S

RESPONDENT.

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STIPULATION

It is hereby stipulated between David Hopkins, D.D.S., personally and by his attorney, Daniel A. MacDonald, and Pamela M. Stach, Attorney for the Department of Regulation & Licensing, Division of Enforcement, as follows:

1. That DAVID HOPKINS, D.D.S., Respondent herein, is duly licensed to practice dentistry in the State of Wisconsin and that his license bears number 4000600 and was granted on September 14, 1949.

2. That a complaint consisting of two counts was filed against Respondent herein on May 24, 1982, and was duly served upon Respondent on May 27, 1982.

3. The Respondent has read the Complaint and understands the nature of the allegations against him.

4. That Respondent has sold his practice and is not currently engaged in the active practice of dentistry.

5. That Respondent of his own free will has retired from the practice of dentistry and does not at this time intend to practice dentistry at any time in the future in the State of Wisconsin.

6. That Respondent has decided not to renew his license to practice dentistry on the renewal date of September 30, 1983, or at any time subsequent to that date. In the event, however, Respondent does wish to renew his license to practice dentistry, Respondent must then comply with the following terms and conditions:

a. That in the event Respondent wishes to resume the active practice of dentistry he will inform the Dentistry Examining Board of his intention at least sixty (60) days prior to any anticipated resumption.

b) That prior to resuming the active practice of dentistry, respondent agrees to appear before the Dentistry Examining Board at a regularly scheduled meeting and demonstrate to the satisfaction of the Board his fitness to practice under his license.

7. That as of the date that Respondent sold his

practice and retired from the active practice of dentistry in the State of Wisconsin there had been no determination on the merits of the pending complaint against respondent.

8. That in light of respondent's voluntary retirement from the practice of dentistry in the State of Wisconsin, the Department of Regulation and Licensing, Division of Enforcement, hereby agrees to dismiss the complaint filed against Respondent on May 24, 1982.

9. That the parties to this stipulation understand that the Department of Regulation and Licensing, Division of Enforcement, will take no further action against Respondent's license based on the allegations contained in the complaint unless Respondent violates the terms and conditions of this stipulation in which event, the Department may reinstate the complaint and reinstitute proceedings against Respondent or may proceed in accordance with the Wisconsin Administrative Code DE5.02(17).

10. That this agreement in no way prejudices the Dentistry Examining Board from any future action against the Respondent based on any future acts Respondent may commit which will be violative of the Wisconsin Dentistry Examining Board statutes and rules.

11. That the parties to this stipulation agree to waive a proposed decision by the hearing examiner and present this stipulation directly to the Board. That both parties agree to allow the attorney for complainant to appear before the Board to argue on behalf of acceptance of the stipulation.

12. This stipulation, if adopted by the Wisconsin Dentistry Examining Board, shall become effective immediately upon the issuance of the written order by the Board. It is expressly understood by the parties hereto that the terms agreed to and the facts set forth in this stipulation are intricately related to each other and are, therefore, made contingent upon the acceptance of this stipulation in its entirety by the Dentistry Examining Board. Failure to accept this stipulation in its entirety by the Dentistry Examining Board gives the parties hereto the right to declare the terms of this stipulation null and void and restores the parties to their respective positions as they existed at the time of execution of this stipulation.

13. That the Respondent and his counsel are fully aware of and understand that had the Respondent chosen to proceed with this action, he would have had the right to a hearing on the allegations against him at which time the State would have had the burden of proving those allegations by clear, satisfactory and convincing evidence; that the Respondent would have had the right to confront and cross-examine the witnesses against him; that the respondent would have had the right to call witnesses in his behalf and to compel their attendance by subpoena; the Respondent would

have had the right to testify himself; the Respondent would have had the right to file objections to any proposed decisions and to present briefs or oral arguments to the officials who were to render the final decision; he would have had the right to petition for rehearing; the Respondent would have had all other rights afforded the Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

14. That the Respondent, in view of the agreement to dismiss the complaint against him freely, voluntarily and knowingly waives the right to proceed with the complaints against him and specifically waives each and every one of the rights set forth in paragraph 13 above.

DATE: April 15, 1983

David Hopkins D.D.S.
David Hopkins, D.D.S.,
Respondent

DATE: April 20, 1983

D.A. MacDonald
Daniel A. MacDonald
Attorney for David Hopkins,
D.D.S., Respondent

DATE: April 1, 1983

Pamela M. Stach
Pamela M. Stach
Attorney for the Department
of Regulation & Licensing
Division of Enforcement